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Docket No.: FER-1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ferrone and Hicklin

Group Art Unit: 1644

Serial No: 09/036,724

Examiner: Eyler, Y.

Filed: March 6, 1998

For: Active Immunization Against Angiogenesis-Associated Antigens

RECEIVED 9/5/02

AUG 19 2002

TECH CENTER 1600/2900

**RESPONSE TRANSMITTAL AND  
PETITION FOR EXTENSION OF TIME**

1. Transmitted herewith is a response regarding the application identified above.

**STATUS**

2. Applicant is

X a small entity, established herein.

**CERTIFICATE OF MAILING 37 (CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Type or print name: Thomas C. Gallagher

Date: August 5, 2002

(Signature)

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**CERTIFICATE OF FIRST CLASS MAILING**

I certify that the attached documents are being deposited with the United States Postal Service on August 5, 2002, with sufficient postage for first class mail, in an envelope addressed to the Assistant Commissioner For Patents, Washington, D.C., 20231.

Respectfully submitted,

Thomas C. Gallagher  
Reg. No. 37,066

ImClone Systems Incorporated  
180 Varick Street  
New York, N.Y. 10014  
(212) 645-1405

August 5, 2002

## EXTENSION OF TIME

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.\*

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 3 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u>X</u> one month	\$110.00	\$55.00
<u>      </u> two months	\$380.00	\$190.00
<u>      </u> three months	\$870.00	\$455.00
<u>      </u> four months	\$1,360.00	\$680.00

If an additional extension of time is required please consider this a petition therefor.

Verified statements claiming small entity status are enclosed.

(check and complete the next item, if applicable)

- (b)        An extension for        months has already been secured and the fee paid therefor of \$        is deducted from the total fee due for the total months of extension now requested.
- (c) X Extension fee due with this request (a-b) \$ 55.00

OR

- (d)        Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

\*Extension of Time in Patent Cases (Supplement Amendments) if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G.35).

4. \_\_\_\_\_ No response is enclosed. This application will be abandoned in favor of a continuation or continuation-in-part application filed at the end of the extension period. The purpose of this petition for an extension of time and payment of the fee is to maintain pendency of this application and the continuation or continuation-in-part application.

**FEES FOR NOTICE TO FILE MISSING PARTS OF APPLICATION**

- 5(a). \_\_\_\_\_ SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27. Verified Statements claiming small entity status (37 CFR 1.9(F) and 1.27(C)) are enclosed herein.

6.   X   Total fee required:

**TOTAL FEE PAYMENT (3(c)): \$55.00**

7. \_\_\_\_\_ Attached is a check in the sum of \$

  X   Charge Account No.   09-0071   in the sum of \$ 55.00

A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

8.   X   If any additional extension and/or fee is required, charge Account No.   09-0071  .

**AND/OR**

  X   If any additional fee for claims is required, charge Account No.   09-0071  .

Respectfully submitted,



Thomas C. Gallagher  
Reg. No. 37,066

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